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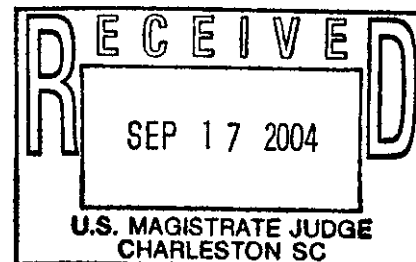
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September 16, 2004

The Honorable Robert S. Carr
United States Magistrate Judge
Hollings Judicial Center
85 Broad Street
Charleston, South Carolina 29401



Re: Padilla v. Hanft, Commander of Consolidated Naval Brig
2:04-2221-26AJ

Dear Judge Carr:

This letter is respectfully submitted to inform your Honor that I had an opportunity to consult with Mr. Padilla after the conference of September 14, 2004.

I advised Mr. Padilla of the briefing schedule that was jointly proposed by the parties. I also advised Mr. Padilla of the concerns your Honor raised at the conference. In particular, Mr. Padilla was advised that if the "authority" issue is addressed first, any fact-finding hearing could be delayed for an extensive period of time.

Mr. Padilla informed me that he agrees that the "authority" issue be addressed first as proposed by all counsel.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Andrew G. Patel".

Andrew G. Patel

cc: Miller W. Shealy, Jr., Esquire
Assistant United States Attorney (By Facsimile)

Sri Srinivasan, Esquire
Assistant to the Solicitor General (By Facsimile)

All counsel for the Petitioner (By Facsimile)